

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In re LADRAKEOUS SONNY DEAN,
Petitioner.

Case No. [22-cv-07235-JST](#)

ORDER OF DISMISSAL

On November 17, 2022, the Court docketed a 4-page handwritten document received from Petitioner titled “Petition for a Writ of Habeas Corpus Pursuant to All Writs Act,” which the Court construed as seeking federal habeas relief pursuant to 28 U.S.C. § 2254.¹ ECF No. 1. That same day, the Court informed Petitioner that his petition was not submitted on the proper form, and that if he did not submit a completed petition on the proper form within twenty-eight days, the action would be dismissed and the file closed. ECF No. 2. The Court sent Plaintiff a blank petition for a writ of habeas corpus form. ECF No. 2. The deadline to file a petition and has passed, and Petitioner has not filed the required documents. This action cannot proceed without a petition on the proper form. Accordingly, this action is DISMISSED for failure to file a petition on the proper form. The dismissal is without prejudice to Petitioner filing a motion to reopen the action. Any

¹ The All Writs Act “is a residual source of authority to issue writs that are not otherwise covered by statute. When a statute specifically addresses the particular issue at hand, it is that authority, and not the All Writs Act, that is controlling.” *Pa. Bureau of Corr. v. U.S. Marshals Serv.*, 474 U.S. 34, 43 (1985). The Court presumes that Petitioner seeks release from state custody as he references seeking “immediate or speedier release.” 28 U.S.C. § 2254 specifically addresses that particular issue. However, Petitioner also states that he seeks a “redress of grievances” and the release of commercial debt, proceeds, products, accounts and fixtures. If Petitioner seeks release other than release from custody, a petition for a writ of habeas corpus would not be the proper action to bring.

1 motion to reopen must be accompanied by a petition on the proper form. The Clerk shall enter
2 judgment against Plaintiff, and close the case.

3 **IT IS SO ORDERED.**

4 Dated: January 13, 2023

5 
6 JON S. TIGAR
United States District Judge

United States District Court
Northern District of California